

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CODIE WALKER,

Plaintiff,

v.

RENEE BAKER, et al.,

Defendants.

Case No. 2:19-cv-02221-GMN-DJA

ORDER

I. DISCUSSION

Plaintiff has filed a motion requesting a copy of the docket sheet (ECF No. 3) and a motion requesting leave to file an amended complaint (ECF No. 4). The Court grants both motions. The Court grants Plaintiff leave to file a fully complete first amended complaint within 30 days. If Plaintiff does not file a fully complete amended complaint, the court will screen his initial complaint (ECF No. 1-1).

If Plaintiff chooses to file a first amended complaint, he is advised that a first amended complaint supersedes (replaces) the original complaint, and, thus, the first amended complaint must be complete by itself. *See Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that “[t]he fact that a party was named in the original complaint is irrelevant; an amended pleading supersedes the original”); *see also Lacey v. Maricopa Cnty.*, 693 F.3d 896, 928 (9th Cir. 2012) (holding that for claims dismissed with prejudice, a plaintiff is not required to reallege such claims in a subsequent amended complaint to preserve them for appeal). Plaintiff’s first amended complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to pursue in this lawsuit. Moreover, Plaintiff must file the first amended complaint on this Court’s approved prisoner civil rights form, and it must be entitled “First Amended Complaint.”

///

///

1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that Plaintiff's motion for a copy of the
3 docket sheet (ECF No. 3) is granted. The Clerk of the Court will send to Plaintiff a
4 courtesy copy of the docket sheet.

5 IT IS FURTHER ORDERED that Plaintiff's motion for leave to file an amended
6 complaint (ECF No. 4) is granted. The Clerk of the Court will send to Plaintiff the approved
7 form for filing a § 1983 complaint, instructions for the same, and a copy of his complaint
8 (ECF No. 1-1). If Plaintiff chooses to file a first amended complaint, he must use the
9 approved form and he will write the words "First Amended" above the words "Civil Rights
10 Complaint" in the caption.

11 IT IS FURTHER ORDERED that if Plaintiff chooses to file an amended complaint,
12 Plaintiff will file the amended complaint within 30 days from the date of entry of this order.
13 If Plaintiff does not file a first amended complaint within 30 days, the Court will screen
14 Plaintiff's initial complaint (ECF No. 1-1).

15
16 DATED this 3rd day of December 2020.

17 
18 _____
UNITED STATES MAGISTRATE JUDGE